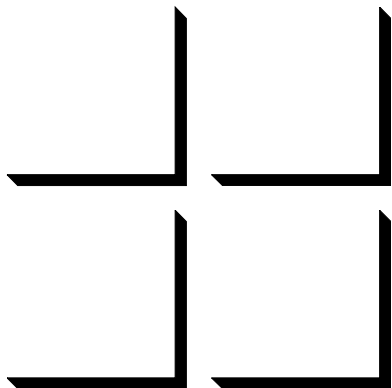


County of San Bernardino
Redevelopment Agency

REDEVELOPMENT PLAN

Cedar Glen Disaster Recovery Redevelopment Project

November 24, 2004



November 24, 2004

Recommended by Project Area Committee: October 1, 2004

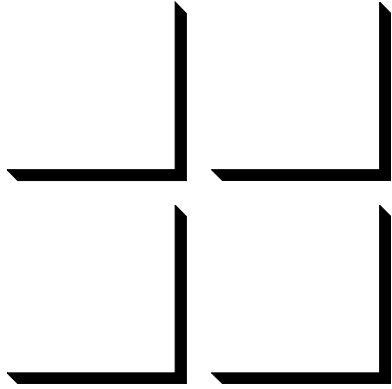
Adopted: November 23, 2004

Ordinance No. 3940

Redevelopment Plan for the Cedar Glen Disaster Recovery Redevelopment Project

COUNTY OF SAN BERNARDINO REDEVELOPMENT AGENCY

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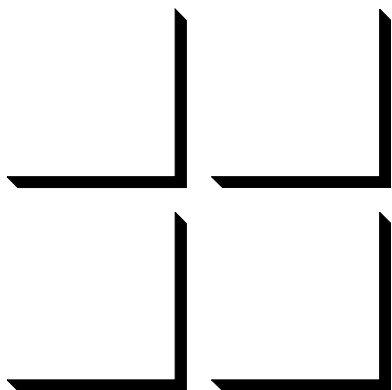


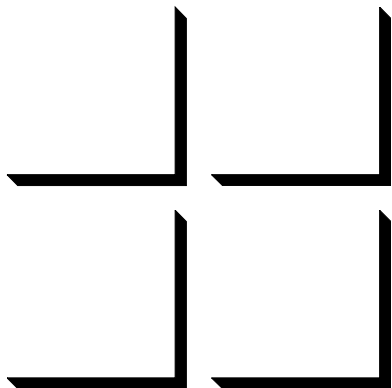
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APPENDIX A: Redevelopment Plan Map

APPENDIX B: Legal Description



I. INTRODUCTION

A. (§100) AUTHORITY

This Redevelopment Plan (hereinafter “Plan”) for the Cedar Glen Disaster Recovery Redevelopment Project (the “Project” or “Project Area”) was prepared by the Redevelopment Agency for the County of San Bernardino (hereinafter “Agency”) in accordance with the Disaster Project Law, California Health and Safety Code Section 34000 *et seq.* in particular, and in general the California Community Redevelopment Law, California Health and Safety Code Section 33000 *et seq.* (hereinafter “CRL”), and all applicable laws and ordinances.

The Plan applies to the Project Area, and consists of this text, the Redevelopment Plan Map for the Project Area (Appendix A) and the legal description therefor (Appendix B).

B. (§110) PURPOSE AND BASIS OF THIS PLAN

The overall purpose of formulating this Plan is to provide for the elimination or alleviation of disaster conditions, as defined in CRL Section 34002, that affects an approximately 837-acre area (the “Project Area”). Broadly stated, these conditions include direct and indirect damage to properties in the Project Area resulting from the October 2003 “Old Fire.”

The basis for this Plan is the Preliminary Plan for the Cedar Glen Disaster Recovery Redevelopment Project, as adopted by the San Bernardino County Redevelopment Agency Resolution No. 2004-56 on March 30, 2004

C. (§120) DEFINITIONS

The following definitions will govern in the context of this Plan unless otherwise stipulated herein:

1. (§120.1) **Agency** means the Redevelopment Agency for the County of San Bernardino.
2. (§120.2) **Project Area** means the territory subject to this plan and described in Appendix B.
3. (§120.3) **Board of Supervisors** means the Board of Supervisors of the County of San Bernardino, California.
4. (§120.4) **County** means the County of San Bernardino, California.
5. (§120.5) **CRL** means the Community Redevelopment Law of the State of California (California Health and Safety Code, Sections 33000 *et seq.*), as amended to date.
6. (§120.6) **General Plan** means the County of San Bernardino General Plan.
7. (§120.7) **Legal Description** means the descriptions of the land within the Project Area attached to this Plan as Appendix B.
8. (§120.8) **Owner Participation Rules** shall mean the “Rules Governing Participation and Preferences for Owners, Operators of Businesses and Tenants” adopted on October 5, 2004, by Agency Resolution No. 2004-335.
9. (§120.9) **Person** means any individual or any public or private entity.
10. (§120.10) **Plan** or **Redevelopment Plan** means this document, officially designated as “The Redevelopment Plan for the Cedar Glen Disaster Recovery Redevelopment Project”, as adopted on November 23, 2004, by Board of Supervisors’ Ordinance No. 3940. This Plan applies to the Project Area only.
11. (§120.11) **Planning Commission** means the Planning Commission of the County of San Bernardino, California.
12. (§120.12) **Project** means those actions necessary to implement the provisions of this Plan, including all public improvements, other improvements, activities, and programs authorized in this Plan or as otherwise permitted pursuant in the CRL.
13. (§120.13) **Real Property** means land, buildings, structures, fixtures and improvements on the land; property

appurtenant to or used in connection with the land; every estate, interest, privilege, easement, franchise, and right in land, including rights-of-way, terms for years, and liens, charges, or encumbrances by way of judgment, mortgage or otherwise, and the indebtedness secured by such liens.

14. (§120.14) **Redevelopment Plan Map** means the Redevelopment Plan Map of the Project Area, attached to this Plan as Appendix A.
15. (§120.15) **State** means any state agency or instrumentality of the State of California.

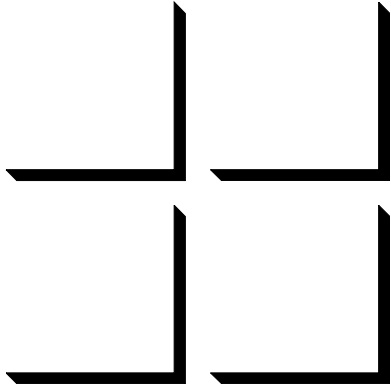
D. (§130) PROJECT AREA BOUNDARIES

The boundaries of the Project Area are shown and described in Appendix A and Appendix B of this Plan. These boundaries were established by the Board of Directors of the Redevelopment Agency on March 30, 2004.



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II. DEVELOPMENT IN THE PROJECT AREA

A. (§200) PROJECT OBJECTIVES

The Project Area incurred major direct and indirect damage as a result of the Old Fire, including the loss of 324 residential units. The overall objective of this Plan is to provide for the elimination or alleviation of blight, including damage resulting from the fire. Broadly stated, these conditions include damage to buildings, damage to roadways, damage to the infrastructure system, including water mains. Various other conditions are causative of the fire damage, including inadequate access and inadequate water service.

In pursuing these general objectives, the Agency expects to help:

- Reverse or mitigate the damage caused by the Old Fire.
- Preserve the economic base of the Project Area by encouraging the re-establishment of commercial establishments that were damaged by the wildfires.
- Broaden the community's economic base by attracting new commercial uses that are high sales tax and job producers to the Project Area.
- Diversify the commercial make-up of the Project Area by developing a variety of uses that work in concert toward economic stability.
- Provide for infrastructure improvements in the Project Area.
- Encourage expansion of local commercial opportunities, which will create jobs and an expanded sales and property tax base.

- Promote new development consistent with the County's General Plan.
- Provide financial incentives to interested property owners who wish to repair or rehabilitate their buildings or revitalize their properties consistent with the County's General Plan and development standards.
- Encourage public participation in the planning and implementation of the Project.
- Eliminate existing blighted conditions, be they properties or structures, and prevent recurring blight in and about the Project Area.
- Eliminate environmental deficiencies, including inadequate street improvements, inadequate emergency access, inadequate utility systems, and inadequate public services; and mitigation of the various economic, physical, and environmental characteristics of blight extant in the Project Area.

B. (§210) CONFORMANCE TO THE COUNTY'S GENERAL PLAN

All uses proposed in this Plan, or other plans that may be adopted by the Agency, shall be in conformance with the General Plan as it now exists (see Section 120 "Definitions"). Except when inconsistent with this Plan, all requirements of the County's development codes shall apply to all uses proposed hereunder. The Agency, after consultation with the Planning Commission, may, by resolution, adopt specific plans or programs for all or any portion of the Project Area, which establish architectural controls, heights of buildings, land coverage, setback requirements, traffic circulation, traffic access, sign criteria and other development and design controls necessary for proper development of both private and public areas within the Project Area. These controls shall be in addition to, and may not relax the requirements of, the County's development codes.

C. (§220) CONFORMANCE TO SPECIFIC PLANS

All uses proposed in this Plan that lie within the boundaries of any existing specific plan area shall be in conformance with the applicable specific plan. Details of proposed uses in this Plan that lie within the boundaries of any specific plan area, may

deviate from the specific plan to the extent provided for in the Zoning Ordinance.

D. (§230) SPECIFIC DEVELOPMENT OBJECTIVES

Development in the Project Area will be in conformance with this Plan, the General Plan, any applicable Specific Plan(s), and the Zoning Ordinance.

The Agency's development objectives involve encouraging the implementation of development in accordance with the General Plan. In doing so, it is the Agency's intent is to provide assistance in the following ways:

1. The reconstruction of the Project Area's infrastructure, including roadways and utility systems.
2. The construction of new needed public improvements and facilities including those described in Section 344 herein.
3. Various forms of Agency financial assistance, including but not limited to, tax exempt financing and financial aid programs for new construction and/or rehabilitation.
4. The completion of various planning studies as required to facilitate and coordinate the redevelopment process.
5. Relocation of displaced residents and businesses.
6. Rehabilitation or replacement of housing occupied by persons of very low-, low-, or moderate-income.

E. (§240) LAND USES FOR THE PROJECT AREA

In addition to illustrating the location of the Project Area boundaries, the Redevelopment Plan Map (Appendix A) also illustrates the proposed public rights-of-way, public easements, open space, and proposed land uses to be permitted in the Project Area, pursuant to the General Plan as it exists at the date of adoption of this Plan.

F. (§250) PUBLIC USES FOR THE PROJECT AREA

1. (§251) PUBLIC STREET LAYOUT, RIGHTS-OF-WAY AND EASEMENTS

The public rights-of-way, easements, and principal streets proposed or existing in the Project Area are shown on the attached Redevelopment Plan Map (Appendix A).

Such streets and rights-of-way may be widened, altered, realigned, abandoned, vacated, or closed by the Agency and the County as necessary for proper development of the Project Area. Additional public streets, alleys, and easements may be created by the Agency and the County in the Project Area as needed for proper circulation. Changes in or construction of new streets, easements and rights-of-way shall be subject to public notice in accordance with existing law.

The public rights-of-way shall be used for vehicular and pedestrian traffic, equestrian trails, and bike trails, as well as for public improvements, public and private utilities, and activities typically found in public rights-of-way. In addition, all necessary easements for public uses, public facilities, and public utilities may be retained and created.

2. (§252) OPEN SPACE, PUBLIC AND QUASI-PUBLIC USES, AND FACILITIES

In any portion of the Project Area, the Agency is authorized to permit the establishment or enlargement of public, semi-public, institutional, or nonprofit uses. All such uses shall conform, so far as possible, with the provisions of this Plan applicable to the uses in the specific area involved, and shall conform with the General Plan.

G. (§260) GENERAL DEVELOPMENT REQUIREMENTS

1. (§261) CONFORMANCE WITH THIS PLAN

All real property in the Project Area is hereby made subject to the controls and requirements of this Plan. No real property shall be developed, rehabilitated, or otherwise changed after the date of the adoption of this Plan unless it is in conformance with the provisions of this Plan and all applicable provisions of State law. (See also Section 311

relative to Certificates of Conformance.) The Agency shall have the right, to the greatest extent permitted by law, to administratively interpret this Plan in order to determine whether such changes are in conformance with this Plan, including without limitation, the controls and project objectives of this Plan.

2. (§262) NEW CONSTRUCTION

All construction in the Project Area shall comply with and meet or exceed all applicable state and local laws in effect as amended from time to time, including, but not necessarily limited to: fire, building, electrical, mechanical, grading, plumbing, and development codes of the County.

3. (§263) REHABILITATION AND RETENTION OF PROPERTIES

Any existing structure within the Project Area specifically approved for retention and rehabilitation may be repaired, altered, reconstructed, or rehabilitated as may be deemed necessary by the Agency to ensure that such structure will be safe and sound in all physical respects and not detrimental to the surrounding uses. Rehabilitation standards for buildings and site improvements may be established by the Agency. These standards may be amended from time to time and may contain specialized provisions pertaining to portions of the Project Area taking into consideration historic and cultural variations and the desires of the local population.

4. (§264) SUBDIVISION OR CONSOLIDATION OF PARCELS

No parcels in the Project Area, including any parcels retained by a participant, shall be subdivided or consolidated without approval of the County. Lot consolidation is encouraged.

5. (§265) LIMITATIONS ON TYPE, SIZE, HEIGHT, NUMBER, AND PROPOSED USE OF BUILDINGS

Except as may be set forth in other Sections of this Plan, the type, size, height, number, and proposed use of buildings shall be limited by the applicable federal, state, and local statutes, ordinances, regulations, the General Plan, any applicable specific plan and any requirements that may be adopted pursuant to this Plan. General

limitations on land use are indicated on the Redevelopment Plan Map in Appendix A.

6. (§266) THE APPROXIMATE AMOUNT OF OPEN SPACE TO BE PROVIDED AND STREET LAYOUT

Open space and street layout in conformance with the General Plan is shown in the Redevelopment Plan Map included herewith in Appendix A, and described in Section 252 of this Plan. Additional open space will be provided through application of County standards for building setbacks. An estimated 200 acres will be devoted to open space, parks, trails, landscaping, building setbacks, yards, and rights-of-way at Project completion in the Project Area.

7. (§267) THE APPROXIMATE NUMBER OF DWELLING UNITS

In accordance with the General Plan, there will be approximately 4,400 dwelling units permitted (but not necessarily constructed) in the Project Area upon Project completion. Planned land uses in the Project Area shall be as indicated on the Redevelopment Plan Map in Appendix A.

8. (§268) THE PROPERTY TO BE DEVOTED TO PUBLIC PURPOSES AND THE NATURE OF SUCH PURPOSES

Public uses are described in Section 250 of this Plan and specific public improvements/facilities are listed in Section 344. These improvements are generally expected to be provided in the public right-of-way or on land specifically acquired by the County for such purposes.

H. (§270) DEVELOPMENT PROCEDURES

Applications for development and building permits and the review thereof shall follow County procedures.

1. (§271) REVIEW OF APPLICATIONS FOR BUILDING PERMITS

Applications for building permits and the review thereof shall follow County procedures. The Agency also may enact separate procedures, which shall be in addition to existing County procedures, for the review of building permits if the

Agency deems such review necessary or beneficial to the implementation of this Plan.

2. (§272) MINOR VARIATIONS

The Agency is authorized to permit a minor variation from the limits, restrictions, and controls established by this Plan if the Agency determines that:

1. There are particular circumstances or conditions applicable to a property or to the intended development of a property which justify a minor variation;
2. Permitting a minor variation will not be materially detrimental to the public welfare or injurious to property or improvements in the Project Area; and
3. Permitting a minor variation will not be contrary to the objectives of this Plan or of the General Plan of the County.

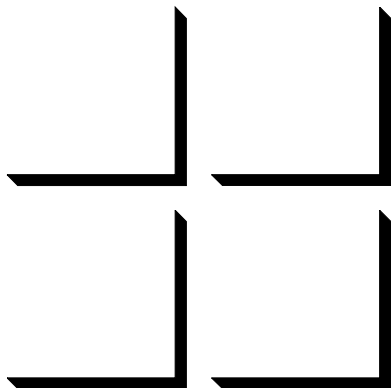
No variation shall be granted that changes a basic land use or that permits other than a minor departure from the provisions of this Plan. In permitting any such variation, the Agency shall impose such conditions as are necessary to protect the public peace, health, safety, or welfare and to assure compliance with the purposes of this Plan. Any variation permitted by the Agency hereunder shall not supersede any other approval required under applicable County codes and ordinances.

3. (§273) EXISTING NONCONFORMING USES

The Agency, in consultation with the Planning Commission, is authorized to permit an existing use to remain in an existing building in good condition, which does not conform to the provisions of this Plan, provided that such use is generally compatible with nearby developments and uses in the Project Area, and is otherwise permitted by applicable codes and ordinances. The owner of such property must be willing to enter into a participation agreement (see Section 311 of this Plan) and agree to the imposition of such reasonable restrictions as are necessary to protect the development and use of the Project Area.

The Agency, in consultation with the Planning Commission pursuant to established development review procedures, may authorize additions, alterations, repairs, or other improvements in the Project Area for uses which do not

conform to the provisions of this Plan when it is determined by the Agency and the Planning Commission that such improvements and uses would be compatible in the interim with surrounding uses and development.



III. REDEVELOPMENT IMPLEMENTATION

A. (§300) GENERAL

To achieve the objectives of this Plan, the Agency is authorized to undertake the following implementation actions:

1. (§301) Providing for participation by owners and tenants of properties located in the Project Area by extending preferences to remain or relocate within the redevelopment area;
2. (§302) Acquisition of real property.
3. (§303) Management of property under the ownership and control of the Agency;
4. (§304) Relocation assistance to displaced Project occupants;
5. (§305) Demolition or removal of buildings and improvements;
6. (§306) Installation, construction, or reconstruction of streets, utilities, open spaces and other public improvements and facilities;
7. (§307) Rehabilitation, development, or construction of low- and moderate-income housing within the County;
8. (§308) Disposition of property for uses in accordance with this Plan;
9. (§309) Redevelopment of land by private enterprise and public agencies for uses in accordance with this Plan; and
10. (§310) Rehabilitation of structures and improvements by present owners, their successors, or the Agency.

The above implementation actions are discussed in more detail in the following sections.

B. (§310) PARTICIPATION BY OWNERS AND TENANTS

1. (§311) CONFORMING OWNERS

The Agency wishes to help alleviate direct and indirect fire damage in the Project Area. The Agency is permitted by the CRL to review and approve proposed development or redevelopment of property in the Project Area. Therefore, the Agency may, in its sole and absolute discretion, determine that certain real property within the Project Area presently conforms with the requirements of this Plan. Such conforming uses will be permitted to continue in their present use without a participation agreement with the Agency, provided the owner of such conforming property continues to operate and use the real property within the requirements of this Plan.

The Agency shall, upon the request of any conforming owner, issue to such owner, in a form suitable for recordation, a Certificate of Conformance, which Certificate shall provide in substance that the property conforms to the requirements of this Plan on the date of issuance thereof.

The Agency may also determine that certain real property within the Project Area is substantially in conformance with the requirements of this Plan, and the owners of such property may be allowed to remain as conforming owners; however, said owners may be required to bring their property, to the extent possible, into greater conformance with this Plan.

In the event that any of the conforming owners desire to: (1) construct any additional improvements or substantially alter or modify existing structures on any of the real property described above as conforming; or (2) acquire additional real property within the Project Area; then such conforming owners may be required to enter into a participation agreement with the Agency in the same manner as required for other owners.

Any real property owned by conforming owners outside of designated conforming parcels within the Project Area shall be considered and treated in the same manner as real property owned by other owners; i.e., may be subject to a participation agreement with the Agency.

2. (§312) PARTICIPATION OPPORTUNITIES FOR OWNERS

The Agency adopted Owner Participation Rules pursuant to CRL Section 33345. The purpose of the Owner Participation Rules is to implement the operation of owner participation in connection with this Plan. Persons who are owners of real property in the Project Area shall be given an opportunity to participate in redevelopment by retaining all or a portion of their properties, acquiring adjacent or other properties in the Project Area, or, where the Agency deems appropriate, by selling their properties to the Agency and purchasing other properties in the Project Area, as provided in the Owner Participation Rules. To the extent now or hereafter permitted by law, the Agency may establish a program to loan funds to owners or tenants for the purpose of rehabilitating buildings or structures within the Project Area.

The Agency specifically intends to limit its acquisition of real property to those properties that are essential to accomplishing the objectives of this Plan. Persons who own property within the Project Area will be afforded ample opportunities to retain and develop or rehabilitate their properties consistent with the objectives of this Plan.

In the event a participant fails or refuses to rehabilitate or develop his/her real property pursuant to this Plan and/or the participation agreement as an alternate thereto, the real property, or any interest therein, may be acquired by the Agency subject to the limitations set forth in this Plan, and sold or leased for rehabilitation or development in accordance with this Plan.

3. (§313) PARTICIPATION PRIORITIES

Participation opportunities will necessarily be subject to and limited by such factors as the land uses designated for the Project Area, the provision of public facilities, realignment of streets, the ability of owners to finance acquisition and development of structures in accordance with this Plan, the ability of owners to manage or operate the proposed development or activity, or any change in the total number of individual parcels in the Project Area. Such opportunities shall be subject to the Owner Participation Rules.

If conflicts develop between the desires of participants for particular sites or land uses, the Agency is authorized to

establish reasonable priorities and preferences among the owners and tenants. Some of the factors considered in establishing the priorities and preferences include present occupancy, participant's length of occupancy in the area, accommodation of as many participants as possible, similar adjacent land uses, conformity of participants' proposals with the intent and objectives of this Plan, experience with the development and operation of particular uses, and ability to finance the implementation, development experience, and total effectiveness of each participant's proposal in providing a service to the community.

Opportunities to participate shall be provided first to owners and tenants with existing interest in the Project Area. Secondary participation opportunities shall be granted to owner occupants relocating within the Project Area in accordance with, and as a result of, Plan implementation. Third level priority shall be afforded existing tenants relocating within the Project Area in accordance with, and as a result of, Plan implementation. Last priority shall be afforded to firms and persons from outside the Project Area. If participants fail to perform as mutually agreed, the Agency shall have the authority to acquire the subject property pursuant to Section 321 of this Plan in order to effectuate the purposes of this Plan.

In addition to opportunities for participation by individual persons and firms, participation, to the extent it is feasible, shall be available for two or more persons, firms, or institutions to join together in partnerships, corporations, or other joint entities.

4. (§314) RE-ENTRY PREFERENCES FOR TENANTS

The Agency shall extend reasonable preferences to persons who are engaged in business in the Project Area to re-enter in business within the Project Area, if they otherwise meet the requirements prescribed in this Plan, Owner Participation Rules, and other policies adopted by the Agency. Business, institutional and semi-public tenants may, if they so desire, purchase and develop real property in the Project Area if they otherwise meet the requirements prescribed in this Plan.

5. (§315) PARTICIPATION AGREEMENTS

At the Agency's option, each participant may be required to enter into a binding agreement with the Agency by which

the participant agrees to develop, rehabilitate, or use the property in conformance with this Plan and be subject to the provisions in the participation agreement. In such agreements, participants who retain real property shall be required to join in the recordation of such documents as are necessary to make the provisions of the agreement applicable to their properties.

Whether or not a participant enters into a participation agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the Project Area.

C. (§320) PROPERTY ACQUISITION AND MANAGEMENT

1. (§321) ACQUISITION OF REAL PROPERTY

The Agency may acquire, but is not required to acquire, any Real Property located in the Project Area by gift, devise, exchange, purchase, or any other lawful method, including eminent domain. Eminent domain proceedings, if used, must be commenced within ten (10) years from the effective date of the ordinance adopting this Plan. Such time limit only may be extended by further amendment to this Plan.

The Agency is authorized to acquire structures without acquiring the land upon which those structures are situated. The Agency is also authorized to acquire any other interest in real property less than a fee.

Properties may be acquired and cleared by the Agency if a determination is made that one or more of the following conditions exist, and it is necessary in order to eliminate blight or a public nuisance, eliminate an environmental deficiency, provide for needed public facilities, or to protect the public health, safety and welfare.

1. The buildings and/or structures must be removed in order to assemble land into parcels of reasonable size and shape to eliminate an impediment to land development.
2. The buildings and/or structures are substandard as demonstrated by an inspection of the property by the County.

3. The buildings and/or structures must be removed in order to eliminate an environmental deficiency, including, but not limited to, incompatible land uses and small and irregular lot subdivisions.
4. The buildings and/or structures must be removed to provide land for needed public facilities, including among others, rights-of-way, public safety facilities, public recreational facilities and open space, and other public utilities.
5. The buildings or structures are determined by the County or Agency to be a safety hazard or a public nuisance due to physical deterioration or due to continued use of the structure or property for unlawful activities.
6. The acquisition of the property is allowed by the CRL and will promote the implementation of the Plan.

Other provisions of this Section notwithstanding, the Agency shall not acquire from any of its members or officers any property or interest in property except through eminent domain proceedings.

2. (§322) ACQUISITION OF PERSONAL PROPERTY

Generally, personal property shall not be acquired. However, where necessary for the execution of this Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means.

3. (§323) PROPERTY MANAGEMENT

During such time as property, if any, in the Project Area is owned by the Agency, such property shall be under the management and control of the Agency. Such property may be maintained, managed, operated, repaired, cleaned, rented, or leased to an individual, family, business, or other appropriate entity by the Agency pending its disposition for redevelopment.

The Agency shall maintain all Agency-owned property that is not to be demolished in a reasonably safe and sanitary condition. Furthermore, the Agency may insure against risks or hazards, any of the real or personal property that it owns.

The Agency is not authorized to own and operate rental property acquired and rehabilitated in prospects of resale,

beyond a reasonable period of time necessary to effect such resale.

In accordance with CRL Section 33401, the Agency may, in any year during which it owns property in the Project Area, pay directly to any County, County, district, including, but not limited to, a school district, or other public corporation for whose benefit a tax would have been levied upon the property had it not been exempt, an amount of money in lieu of taxes that may not exceed the amount of money the County, County, district, including, but not limited to, a school district, or other public corporation would have received if the property had not been tax exempt.

D. (§330) RELOCATION OF PERSONS, FAMILIES AND BUSINESSES

The following provisions relative to the relocation of persons, families and businesses are required by the CRL to be included in this Plan, and in no way imply a plan, proposal or desire by the Agency to displace or remove a significant number of residential units.

1. (§331) RELOCATION ASSISTANCE

As required by the CRL, the Agency will provide relocation advisory assistance to any person or business that is displaced by the Agency as a direct result of this Plan's implementation. No person of low- or moderate-income will be required by the Agency to move from his/her dwelling unit until there is a suitable housing unit available and ready for occupancy by such displaced person or family at rents comparable to those at the time of their displacement. Replacement housing shall be available in areas not generally less desirable with regard to public utilities, public and commercial facilities, and reasonably accessible to the place of employment.

2. (§332) RELOCATION METHOD

The Agency shall comply with the California Real Property Acquisition and Relocation Assistance Act (Chapter 16 commencing with Section 7260 of Division 7 of Title 1 of the Government Code).

The Board of Supervisors shall insure that no persons or families of low- and moderate-income shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by such displaced person or family at rents comparable to those at the time of their displacement. Such housing units shall be suitable to the needs of such displaced persons or families and must be decent, safe, sanitary, and otherwise standard dwellings. The Agency shall not displace such person or family until such housing units are available and ready for occupancy.

3. (§333) RELOCATION PAYMENTS

The Agency shall make relocation payments to qualified persons or businesses displaced by the Project pursuant to applicable laws. Such relocation payments shall be made pursuant to California Government Code and guidelines promulgated by the State Department of Housing and Community Development and any Agency rules and regulations adopted pursuant thereto. In addition, the Agency may make any additional relocation payments that, in the Agency's opinion, may be reasonably necessary to carry out the purposes of this Plan. These additional payments shall be subject to the availability of funds for such purpose.

4. (§334) TEMPORARY RELOCATION

The Agency is authorized to provide temporary relocation facilities on cleared sites within the Project Area. Such action by the Agency would be to provide additional safe, standard, and decent relocation housing resources for families and business facilities for businesses within the Project Area prior to permanent disposition and development of such cleared sites. The Agency is also authorized to provide temporary relocation housing in houses acquired by the Agency that are being held for sale and/or rehabilitation.

E. (§340) DEMOLITION, CLEARANCE, SITE PREPARATION, AND PUBLIC IMPROVEMENTS

The following provisions relative to demolition, clearance and site preparation are required by the CRL, and are in no way intended to imply a plan to displace or remove any housing whatsoever.

1. (§341) DEMOLITION AND CLEARANCE

Subject to and in conformance with law, the Agency is authorized to demolish and clear or move, or cause to be demolished and cleared or moved, buildings, structures, and other improvements from any Real Property in the Project Area as necessary to carry out the purposes of this Plan.

2. (§342) BUILDING SITE PREPARATION

The Agency is authorized to prepare, or cause to be prepared, any real property in the Project Area as building sites.

3. (§343) PROJECT IMPROVEMENTS

Pursuant to CRL Section 33421, the Agency is authorized to install and construct, or to cause to be installed and constructed, improvements and public utilities necessary to carry out this Plan. Such improvements include, but are not limited to, streets, curbs, gutters, street lights, sewers, storm drains, traffic signals, electrical distribution systems, natural gas distribution systems, water distribution systems, sewer collection systems, overpasses, underpasses, bridges, and landscaped areas.

4. (§344) PUBLIC IMPROVEMENTS

The Agency may, with the consent and cooperation of the Board of Supervisors, pay all or part of the value of the land for, and the cost of the installation and construction of, any buildings, facilities, structures or other improvements which are publicly owned, including school facilities, either outside or inside the Project Area, if each of the Board of Supervisors and the Agency determines that:

1. That the buildings, facilities, structures, or other improvements are of benefit to the Project Area or the immediate neighborhood in which the project is located, regardless of whether the improvement is within another project area, or in the case of a project area in which substantially all of the land is publicly owned, that the improvement is of benefit to an adjacent project area of the Agency.
2. That no other reasonable means of financing the buildings, facilities, structures, or other improvements are available.

3. That the payment of funds for the acquisition of land or the cost of buildings, facilities, structures, or other improvements will assist in the elimination of one or more blighting conditions inside the Project Area or provide housing for low- or moderate-income persons, and is consistent with the implementation plan adopted pursuant to CRL Section 33490.

The Agency is specifically authorized to provide or participate in providing the improvements described in Section 365, and is authorized to install and construct, or to cause to be installed or constructed, any public improvements, including utilities, necessary to carry out this Plan. Such improvements include, but are not limited to, streets, curbs, gutters, street lights, sewers, storm drains, traffic signals, electrical distribution systems, natural gas distribution systems, water distribution systems, or overpasses, underpasses, bridges, and landscaped areas.

STREET AND CIRCULATION IMPROVEMENTS

- Construct new streets as required for ingress and egress to the Project Area
- Widen, pave and improve streets in the Project Area where required
- Install traffic control systems where needed
- Pave or repave existing streets throughout
- Install street lighting where needed

WATER SYSTEM IMPROVEMENTS

- Upgrade and/or install water system throughout, including, but not limited to, water mains, wells, storage facilities, fire hydrants, and pump stations

SEWAGE IMPROVEMENTS

- Upgrade and/or install sewer system throughout

DRAINAGE AND FLOOD CONTROL IMPROVEMENTS

- Assist in construction of planned flood control facilities throughout, including but not limited to, channels, drainage pipes, and retention/detention basins

- Improve local drainage throughout

MISCELLANEOUS PUBLIC IMPROVEMENTS

- Fire breaks
- Assist in park and recreation facilities improvements where needed, including, but not limited to, land acquisitions and construction
- Assist in constructing public safety facilities in or serving the Project Area, including but not limited to, communications systems

5. (§345) TEMPORARY PUBLIC IMPROVEMENTS

The Agency is authorized to install and construct, or cause to be installed and constructed, temporary public improvements and temporary public utilities necessary to carry out this Plan. Such temporary public improvements shall include, but not be limited to, streets, public facilities and utilities. Temporary utilities may be installed above ground.

F. (§350) REHABILITATION AND CONSERVATION OF STRUCTURES

1. (§351) REHABILITATION OF STRUCTURES

The Agency is authorized to rehabilitate and conserve, or to cause to be rehabilitated and conserved, any building or structure in the Project Area owned by the Agency. The Agency is also authorized and directed to advise, encourage, and financially assist in the rehabilitation and conservation of property in the Project Area not owned by the Agency.

The Agency and the County may conduct a rehabilitation and reconstruction program to encourage owners of property within the Project Area to upgrade and maintain their property consistent with County codes and standards. The Agency and the County may develop a program for making grants and low interest loans for the rehabilitation of properties in the Project Area. Properties may be rehabilitated under an Agency low interest loan program, provided that rehabilitation and conservation activities on a structure are carried out in an expeditious manner and in conformance with this Plan.

2. (§352) MOVING OF STRUCTURES

As is necessary in carrying out this Plan and where it is economically feasible to so do, the Agency is authorized to move, or cause to be moved, any standard structure or building, which can be rehabilitated, to a location within or outside the Project Area.

3. (§353) BUILDINGS OF HISTORICAL SIGNIFICANCE AND OTHER CULTURAL, HISTORIC OR SCENIC RESOURCES

To the extent practical, special consideration shall be given to the protection, rehabilitation, or restoration of any structure determined to be historically significant, taking into consideration State and County guidelines. The Agency shall make every feasible effort to conserve any structure determined to be historically significant.

G. (§360) REAL PROPERTY DISPOSITION AND DEVELOPMENT

1. (§361) GENERAL REQUIREMENTS

For the purpose of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property.

In the manner required and to the extent permitted by law, before any interest in real property acquired by the Agency in whole or in part, directly or indirectly, with tax increment monies is sold, leased, or otherwise disposed of for development pursuant to this Plan, such sale, lease, or disposition shall first be approved by the Board of Supervisors after public hearing. The Agency shall lease or sell all real property it acquires in the Project Area, except property conveyed by the Agency to the County.

Where required by the CRL, all real property acquired by the Agency in the Project Area shall be sold or leased for development at prices which shall not be less than fair market value for the highest and best uses permitted under this Plan, or the fair reuse value of the interest to be conveyed or leased, as determined at the use and with the conditions, covenants, and development costs required by the sale or lease. Property containing buildings or

structures rehabilitated by the Agency shall be offered for resale within one year after completion of rehabilitation, or an annual report concerning such property shall be published by the Agency as required by CRL Section 33443.

All purchasers or lessees of Agency-owned property in the Project Area shall be obligated to use the property for the purposes designated in this Plan, to begin and complete development of the property within a period of time which the Agency fixes as reasonable, and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Plan.

To the extent permitted by law, the Agency is authorized to dispose of real property by lease or sale by negotiation without public bidding. Real property may be conveyed by the Agency to the County or any other public body without charge.

2. (§362) DISPOSITION AND DEVELOPMENT DOCUMENTS

To provide adequate safeguards ensuring that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased, or conveyed by the Agency shall be made subject to the provisions of this Plan by lease, deeds, contracts, agreements, declarations, or other lawful means. Where determined appropriate by the Agency, such documents or portions thereof shall be recorded in the office of the County Clerk and Recorder.

The leases, deeds, contracts, agreements, and declarations of restrictions may contain restrictions, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provision necessary to carry out this Plan.

All deeds, leases, or contracts for the sale, lease, sublease, or other transfer of any land in a redevelopment project shall contain the following obligations and nondiscrimination clauses.

1. Refrain from restricting the rental, sale or lease of property on the basis of race, ethnicity, color, religion, sex, marital status, ancestry or national origin of any person by lessees and purchasers of real property acquired in redevelopment projects and owners of

property improved as part of a redevelopment project is prohibited. The Agency, in accordance with CRL Section 33435, shall obligate said lessees and purchasers to refrain from discriminatory practices.

2. In accordance with CRL Section 33436, leases and contracts that the Agency proposes to enter into with respect to the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of any real property in the Project Area shall include the following provisions:

- a) In deeds, the following language shall appear:

“The grantee herein covenants by and for himself, his/her heirs, executors, administrators and assigns, and all persons claiming under or through them, that there shall be no discrimination against or segregation of, any person or group of persons on account of race, ethnicity, color, creed, religion, sex, marital status, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the premises herein conveyed, nor shall the grantee himself or herself, or any person claiming under or through him or her, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees or vendees in the premises herein conveyed. The foregoing covenants shall run with the land.”

- b) In leases, the following language shall appear:

“The lessee herein covenants by and for himself or herself, his/her heirs, executors, administrators and assigns, and all persons claiming under or through him or her, and this lease is made and accepted upon and subject to the following conditions:

That there shall be no discrimination against, or segregation of, any person or group of persons, on account of race, ethnicity, color, creed, religion, sex, marital status, national origin or ancestry, in the leasing, subleasing, transferring, use, occupancy, tenure or enjoyment of the premises herein leased, nor shall the lessee himself or herself, or

any person claiming under or through him or her, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, sublessees, subtenants, or vendees in the premises herein leased.”

- c) In contracts entered into by the Agency relating to the sale, transfer or leasing of land or any interest therein acquired by the Agency within any Survey Area or the Project Area, the foregoing provisions, in substantially the forms set forth, shall be included, and such contracts shall further provide that the foregoing provisions shall be binding upon and shall obligate the contracting party or parties and any subcontracting party or parties, or other transferees under the instrument.

3. (§363) DESIGN FOR DEVELOPMENT

Pursuant to Section 210 of this Plan, the Agency is authorized to establish restrictions on heights of buildings, land coverage, setback requirements, design criteria, traffic circulation, traffic access, and other development and design controls necessary for proper development of both private and public areas within the Project Area. Such controls may not relax the requirements of the Zoning Ordinance, or any applicable specific plan.

No new improvement shall be constructed and no existing improvement shall be substantially modified, altered, repaired, or rehabilitated except in accordance with any such controls. In the case of property that is the subject of a disposition and development or participation agreement with the Agency, it shall be constructed in accordance with architectural, landscape, and site plans submitted to and approved in writing by the Agency. One of the objectives of this Plan is to create an attractive and pleasant environment in the Project Area. Therefore, such plans shall give consideration to good design, open space, and other amenities to enhance the aesthetic quality of the Project Area. The Agency will not approve any development or redevelopment plans that do not comply with this Plan.

4. (§364) DEVELOPMENT BY PARTICIPANTS

As appropriate and pursuant to the provisions of this Plan and the Owner Participation Rules, the Agency shall offer real property in the Project Area for purchase and development by owner and tenant participants who have appropriately expressed an interest in participating no later than the time that real property is made available for purchase and development by persons who are not owners or tenants in the Project Area.

5. (§365) DEVELOPMENT BY AGENCY

To the extent now or hereafter permitted by law, the Agency is authorized to pay for, develop, or construct any buildings, facilities, structures, or other improvements, either within or outside the Project Area, for itself or for any public body or entity, if a determination is made that such improvements would be of benefit to the Project Area and that no other reasonable means of financing such construction is available to the community. During the period of development in the Project Area, the Agency shall ensure that the provisions of this Plan and other documents formulated pursuant to this Plan are being observed, and that development in the Project Area is proceeding in accordance with development documents and time schedules.

The Agency may pay for, install, or construct the following facilities, and may acquire or pay for the land required, including, but not limited to:

- Community facilities
- Curbs, gutters, sidewalks, landscaping, and streetscaping
- Open Space
- Parks and playgrounds
- Public buildings (but not including County administration buildings)
- School facilities (but not including privately-owned schools)
- Trails, including, but not limited to, bicycle trails, equestrian trails and hiking trails
- Site improvements for new development, including foundations and parking structures

- Storm drains and flood control facilities
- Sewerage facilities
- Street furniture
- Street lighting
- Street rights-of-way
- Streets
- Transportation improvements required to meet an adopted congestion management deficiency plan, transportation improvement plan, or air quality management plan
- Utilities
- Water and sewer lines and facilities, including treatment facilities

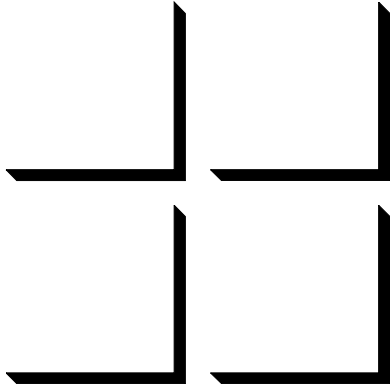
The Agency shall require that development plans be submitted to it for review and approval. All development must conform to this Plan and all federal, state, and local laws, as amended from time to time, and must receive the approval of appropriate public agencies.

6. (§366) INDUSTRIAL AND COMMERCIAL PROPERTY

To the extent now or hereafter permitted by law, the Agency may, as part of an agreement that provides for the development or rehabilitation of property within the Project Area which will be used for industrial or commercial purposes, assist with the financing of facilities or capital equipment including, but not necessarily limited to, pollution control devices. Prior to entering into an agreement for a development that will be assisted pursuant to this Section, the Agency will find, after a public hearing, that the assistance is necessary for the economic feasibility of the development and that the assistance cannot be obtained on economically feasible terms in the private market.

7. (§367) PERSONAL PROPERTY DISPOSITION

For purposes of this Plan, the Agency is authorized to sell, lease, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property that has been acquired by the Agency.



IV. LOW- AND MODERATE-INCOME HOUSING

A. (\$400) 20% TAX INCREMENT FUNDS REQUIREMENT

Not less than twenty percent (20%) of all taxes allocated to the Agency pursuant to CRL Section 33670 shall be used by the Agency for the purposes of increasing, improving and preserving the County's supply of housing for persons and families of low- or moderate-income.

B. (\$410) LOW- AND MODERATE-INCOME HOUSING AND REPLACEMENT

In carrying out the activities contemplated in this Plan, it may become necessary for the Agency to enter into various agreements, such as an agreement for acquisition of real property, an agreement for the disposition and development of property, or an owner participation agreement, which would lead to the destruction or removal of dwelling units from the low- and moderate-income housing market. Not less than thirty (30) days prior to the execution of such an agreement, the Agency shall adopt, by a resolution and to the extent provided by the CRL, a Replacement Housing Plan, which shall include the general location of the replacement housing, an adequate means of financing the replacement housing, a finding that the replacement housing does not require the approval of the voters pursuant to Article XXXIV of the California Constitution or that such approval has been obtained, the number of dwelling units housing persons or families of low- or moderate-income planned for construction or

rehabilitation, and a timetable for meeting the Plan's relocation or rehabilitation housing objectives, or as the CRL may otherwise provide. A dwelling unit whose replacement is required by CRL Section 33413, but for which no Replacement Housing Plan has been prepared, shall not be removed from the low- and moderate-income housing market.

For a reasonable period of time prior to adopting a Replacement Housing Plan, the Agency shall make available a draft of the proposed Plan for review and comments by other public agencies and the general public.

To the extent required by CRL Sections 33413 and 33413.5, whenever dwelling units housing persons and families of low- or moderate-income are destroyed or removed from the low- and moderate-income housing market as part of a redevelopment project which is subject to a written agreement with the Agency or where financial assistance has been provided by the Agency, the Agency shall, within four years of such destruction or removal, rehabilitate, develop, price restrict, or construct, or cause to be rehabilitated, developed, price restricted, or constructed for rental or sale to persons and families of low- or moderate-income, an equal number of replacement dwelling units which have an equal or greater number of bedrooms as those destroyed or removed units at affordable housing costs as defined by Section 50052.5 of the Health and Safety Code, within the territorial jurisdiction of the Agency. One-hundred percent (100%) of the replacement dwelling units shall be available at affordable housing cost to persons in the same or a lower income category (low, very low, or moderate), as the persons displaced from those destroyed or removed units.

C. (§420) PROVISION OF LOW- AND MODERATE-INCOME HOUSING

The Agency may, to the extent permitted by law and land use designations, inside or outside the Project Area, acquire land, sell or lease land, donate land, improve sites, price restrict units, or construct or rehabilitate structures in order to provide housing for persons and families of low- or moderate-income. The Agency may also provide subsidies to, or for the benefit of, such persons and families or households to assist them in obtaining housing within the County.

D. (§430) NEW OR REHABILITATED DWELLING UNITS DEVELOPED WITHIN THE PROJECT AREA

Pursuant to CRL Section 33334.2(g), the Agency has found that the provision of low- and moderate-income housing both inside and outside the Project Area, particularly by the rehabilitation of existing housing stock is of benefit to the Project Area. In encouraging the development of such dwelling units, the Agency shall comply with CRL Sections 33334.2(g) and 33413(b).

To the extent required by CRL Section 33413, at least thirty percent (30%) of all new and substantially rehabilitated dwelling units developed within the Project Area by the Agency shall be for persons and families of low- or moderate-income; and of such thirty percent (30%), not less than fifty percent (50%) thereof shall be for very low-income households.

At least fifteen percent (15%) of all new and substantially rehabilitated units developed within the Project Area by public or private entities or persons other than the Agency shall be for persons and families of low- and moderate-income; and of such fifteen percent (15%), not less than forty percent (40%) thereof shall be for very low-income households. To satisfy this provision, in whole or in part, the Agency may cause by regulation or agreement, to be available, at affordable housing costs, to persons and families of low or moderate-income or to very low-income households, as applicable, two units outside the Project Area for each unit that otherwise would have had to be available inside the Project Area. Also, in order to satisfy this provision, the Agency may aggregate new or substantially rehabilitated dwelling in one or more redevelopment project areas, or may purchase long-term affordability covenants in existing housing whether or not in the Project Area.

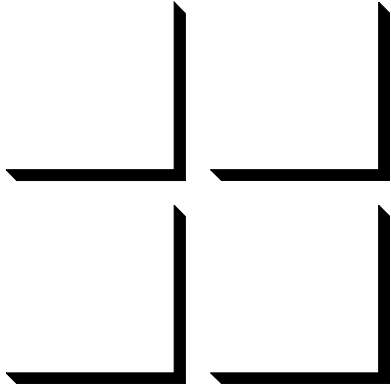
The percentage requirements set forth in this Section shall apply in the aggregate to housing in the Project Area and not to each individual case of rehabilitation, development, price restriction, or construction of dwelling units. The Agency may purchase long-term affordability covenants for units to the greatest extent allowed by law.

The Agency shall require, by contract or other appropriate means, that whenever any low- and moderate-income housing units are developed within the Project Area, such units shall be made available on a priority basis for rent or purchase, whichever the case may be, to persons and families of low- and

moderate-income displaced by the Project; provided, however, that failure to give such priority shall not affect the validity of title to the real property upon which such housing units have been developed.

E. (\$440) LAST RESORT HOUSING

If sufficient suitable existing housing units are not available in the County for use by persons and families of low- and moderate-income displaced by the Project, the Agency may, to the extent of that deficiency, direct or cause the development or rehabilitation of low- and moderate-income housing units within the County, both inside and outside of the Project Area.



V. PROJECT FINANCING

A. (§500) GENERAL DESCRIPTION OF THE PROPOSED FINANCING METHOD

The Agency, if it deems appropriate and with approval of the Board of Supervisors, is authorized to finance this Project with assistance from San Bernardino County, State of California, United States Government, any other public agency, through the use of property tax increments, interest revenue, income revenue, Agency-issued notes and bonds, or from any other available sources of financing which are legally available and do not conflict with the objectives of this Plan.

The County may, in accordance with the law, supply advances and expend money as necessary to assist the Agency in carrying out this Project. Such assistance shall be on terms established by an agreement between San Bernardino County and the Redevelopment Agency.

B. (§510) TAX INCREMENTS

Pursuant to CRL Section 33670, for a period not to exceed thirty (30) years from the date of adoption of this Plan, or such longer time as provided by the CRL, all taxes levied upon taxable property within the Project Area each year by or for the benefit of the State of California, County of San Bernardino, any district, or other public corporation (hereinafter sometimes called “taxing agencies”) after the effective date of the ordinance approving this Plan, or any amendment thereto, shall be divided as follows:

- 1) That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the Project Area as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid into the funds for the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory of the Project Area on the effective date of such ordinance but to which such territory is annexed or otherwise included after such effective date, the assessment roll of the County of San Bernardino last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the Project Area on said effective date); and,
- 2) Except as provided in paragraphs (3) and (4) below, that portion of the levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the Agency to pay the principal of and interest on bonds, loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Agency to finance or refinance, in whole or in part, this Project. Unless and until the total assessed value of the taxable property in the Project Area exceeds the total assessed value of the taxable property in the Project Area, as shown by the last equalized assessment roll referred to in paragraph (1) above, all of the taxes levied and collected upon the taxable property in the Project Area shall be paid into the funds of the respective taxing agencies. When said bonds, loans, advances and indebtedness, if any, and interest thereon, have been paid, all moneys thereafter received from taxes upon the taxable property in the Project Area shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid; and,
- 3) That portion of the taxes identified in paragraph (2) above, which are attributable to a tax rate levied by any of said taxing agencies for the purpose of providing revenues in an amount sufficient to make annual repayments of the principal of, and the interest on, any bonded indebtedness for the acquisition or improvement

of Real Property shall be allocated to, and when collected shall be paid into, the fund of that taxing agency. This paragraph (3) shall only apply to taxes levied to repay bonded indebtedness approved by the voters of said taxing agency or agencies on or after January 1, 1989.

- 4) That portion of tax revenues allocated to the Agency pursuant to paragraph (2) above which is attributable to increases in the rate of tax imposed for the benefit of any affected taxing agency whose levy occurs after the tax year in which the ordinance adopting this Plan becomes effective, shall be allocated to such affected taxing agency to the extent the affected taxing agency has elected in the manner required by law to receive such allocation.

Any advanced moneys are hereby irrevocably pledged for the payment of the principal of and interest on the advance of moneys, or making of loans, or the incurring of any indebtedness (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance the Project in whole or in part.

The Agency is authorized to make such pledges as to specific advances, loans and indebtedness as appropriate in carrying out the Project. Taxes shall be allocated and paid to the Agency consistent with the provisions of this Plan only to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Agency to finance or refinance, in whole or in part, the Project.

The Agency shall make payments to affected taxing agencies as required by CRL Section 33607.5 and may make other payments to affected taxing agencies as authorized by the CRL.

OTHER TAX INCREMENT PROVISIONS

Any advanced moneys are hereby irrevocably pledged for the payment of the principal of and interest on the advance of moneys, or making of loans, or the incurring of any indebtedness (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance the Project in whole or in part.

The Agency is authorized to make such pledges as to specific advances, loans and indebtedness as appropriate in carrying out the Project. Taxes shall be allocated and paid to the Agency

consistent with the provisions of this Plan only to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Agency to finance or refinance, in whole or in part, the Project.

Taxes levied in the Project Area and allocated to the Agency as provided in CRL Section 33670 may, to the greatest extent legally allowable, be used anywhere within the territorial jurisdiction of the Agency to finance the construction or acquisition of public improvements which will enhance the environment of a residential neighborhood containing housing for persons and families of low- or moderate-income, the construction or acquisition of and public improvements which will be of benefit to the Project Area.

C. (§520) ISSUANCE OF BONDS AND NOTES

The Agency may issue bonds or notes, including ones in which the principal and interest are payable in whole or part from tax increments, when a determination has been made that such financing is required and feasible. Such bonds or notes shall be issued only after the Agency has determined that funds are, or will be, available to repay or refinance principal and interest when due and payable. The total outstanding principal of any bonds so issued and repayable from said tax increments shall not exceed Twenty Million Dollars (\$20,000,000) in the Project Area.

D. (§530) LOANS AND GRANTS

The Agency is authorized to obtain advances, borrow funds, and create indebtedness in carrying out this Plan. The principal and interest on such advance funds and indebtedness may be paid from tax increments or any other funds available to the Agency.

E. (§540) FINANCING LIMITATIONS

No loans, advances, or indebtedness to finance, in whole or in part, this project and to be repaid from the allocation of taxes described in the aforementioned CRL Section 33670 shall be established or incurred by the Agency beyond ten (10) years from the adoption date of the ordinance adopting this Plan. This time limit shall not prevent the Agency from incurring

debt to be paid from the Low- and Moderate-Income Housing Fund (see Section 560) or establishing more debt in order to fulfill the Agency's obligations pursuant to CRL Section 33413.

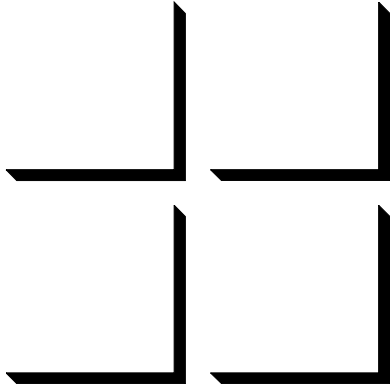
F. (\$550) LOW- AND MODERATE-INCOME HOUSING FUND

Not less than twenty percent (20%) of all taxes which are allocated to the Agency pursuant to Section 510 of this Plan shall be held in a separate low- and moderate-income housing fund and used by the Agency for the purposes of increasing and improving the community's supply of housing for persons and families of low- or moderate-income, as defined in Health and Safety Code Section 50093, and very-low-income households, as defined in Health and Safety Code Section 50105.



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VI. ADMINISTRATION

A. (§600) ADMINISTRATION AND ENFORCEMENT OF THE PLAN

The administration and enforcement of this Plan, including the preparation and execution of any documents implementing this Plan, shall be performed by the Agency and/or the County.

The provisions of this Plan, or other documents entered into pursuant to this Plan, may also be enforced by court litigation instituted by either the Agency or the County. Such remedies may include, but are not limited to, specific performance, damages, re-entry, injunctions, or any other available legal or equitable remedies. In addition, any recorded provisions which are expressly for the benefit of owners of property in the Project Area may be enforced by such owners.

All provisions of the CRL as may be required to be included in a redevelopment plan are hereby incorporated as if fully set forth herein.

B. (§610) DURATION OF THIS PLAN'S DEVELOPMENT CONTROLS AND TIME LIMITS TO RECEIVE PROPERTY TAXES

Except for the nondiscrimination and non-segregation provisions, which shall run in perpetuity, the following time limit shall apply:

Except for the nondiscrimination and non-segregation provisions, which shall run in perpetuity, the time limitations for the effectiveness of this Plan in the Project Area shall be

ten (10) years from the date of adoption of ordinance approving this Plan.

The time limitations to receive property taxes to pay indebtedness or to receive property taxes pursuant to CRL Section 33670 shall be thirty (30) years from the date of adoption of the ordinance adopting this Plan.

C. (§620) PROCEDURE FOR PROJECT AMENDMENT

This Plan may be amended by means of the procedure established in CRL Sections 33450 through 33458, or by any other procedure established by law.

D. (§630) AGENCY/COUNTY COOPERATION

Subject to any limitation in law, the County will aid and cooperate with the Agency in carrying out this Plan and may take any further action necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread of blight or those conditions which caused the blight in the Project Area. Actions by the County may include, but are not necessarily limited to, the following:

1. Institution and completion of proceedings for opening, closing, vacating, widening, or changing the grades of streets, alleys, and other public rights-of-way, and for other necessary modifications of the streets, the street layout, and other public rights-of-way in the Project Area. Such action by the County may include the abandonment and relocation of public utilities in the public rights-of-way as necessary to carry out this Plan.
2. Institution and completion of proceedings necessary for changes and improvements in publicly-owned public utilities within or affecting the Project Area.
3. Imposition wherever necessary of appropriate design controls within the limits of this Plan upon parcels in the Project Area to ensure their proper development and use.
4. Provision for administration and enforcement of this Plan by the County after development.
5. Performance of the above and of all other functions and services relating to public health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Project

Area to be commenced and carried to completion without unnecessary delays.

6. The initiation and completion of any other proceedings necessary to carry out the Project.

The Agency is authorized, but not obligated, to provide and expend funds to ensure the completion of the Project as a whole in accordance with this Plan. The obligation of the Agency to perform the actions indicated in this Section shall be contingent upon the continued availability of funding for this Project primarily from tax increment revenues as defined in Section 510 hereof. However, the Agency may utilize any legally available sources of revenue for funding projects in accordance with this Plan.

E. (§640) COOPERATION WITH OTHER PUBLIC JURISDICTIONS

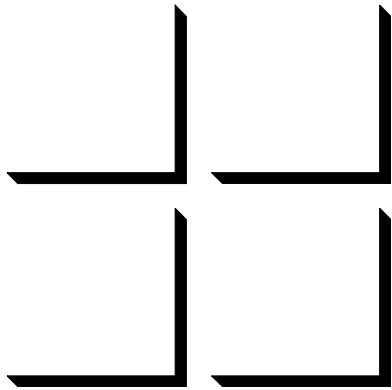
Certain public bodies are authorized by State law to aid and cooperate, with or without consideration, in the planning, construction, or operation of this Project. The Agency shall seek the aid and cooperation of such public bodies and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.

The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. However, the Agency will seek the cooperation of all public bodies that own or intend to acquire property in the Project Area. Any public body that owns or leases property in the Project Area will be afforded all the privileges of owner and tenant participation if such public body is willing to enter into a participation agreement with the Agency.



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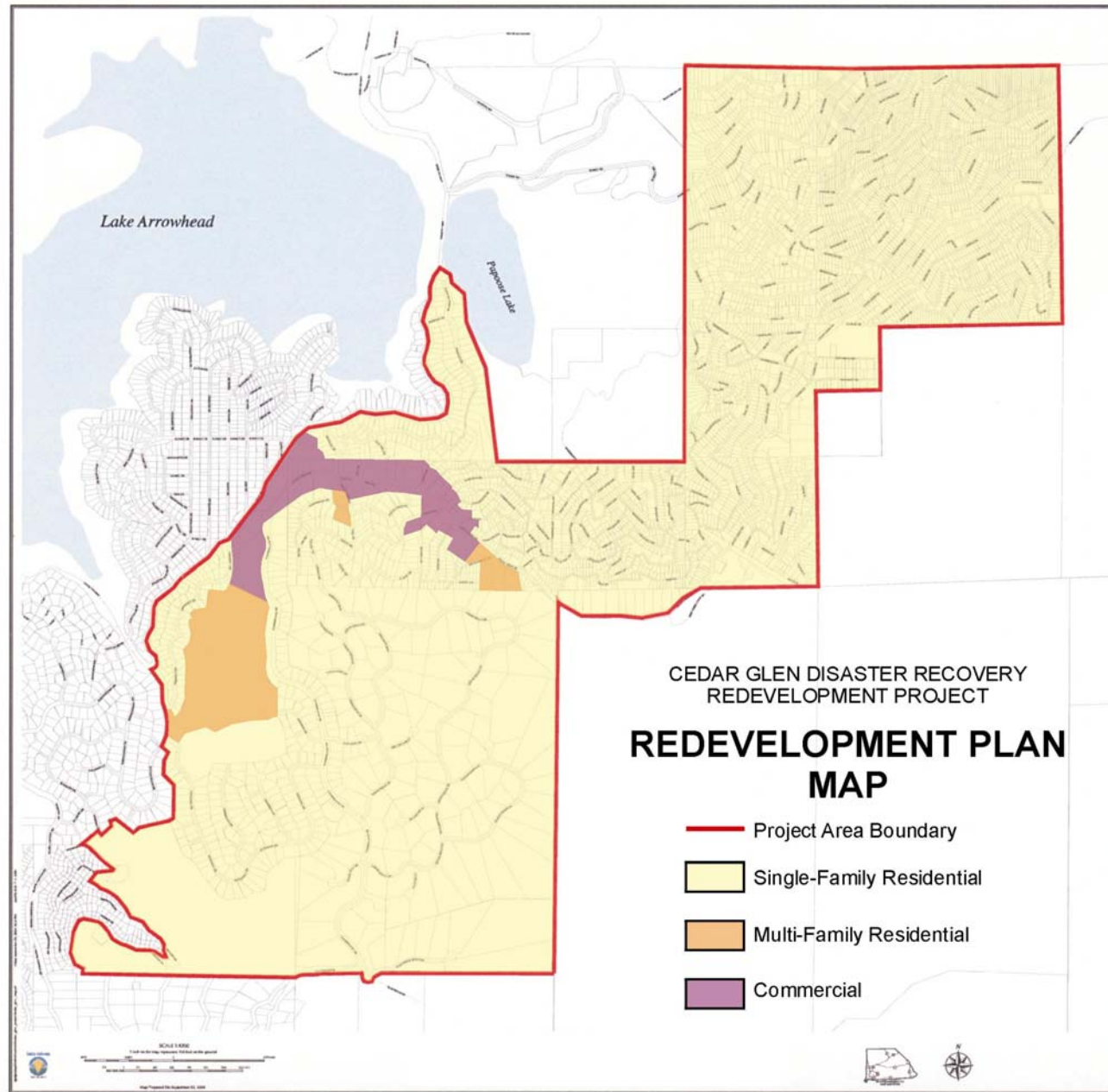




APPENDIX A

Redevelopment Plan Map

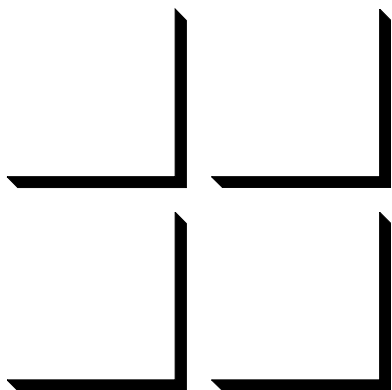
This Redevelopment Plan Map is based on the County of San Bernardino General Plan and any specific plans that may apply to the Project Area. This map is not intended to replace or in any manner modify the General Plan, the applicable specific plans, or the County of San Bernardino Zoning Ordinance.





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APPENDIX B

Legal Description

October 19, 2004

LEGAL DESCRIPTION

CEDAR GLEN DISASTER RECOVERY REDEVELOPMENT PROJECT

San Bernardino County Redevelopment Agency

This Legal Description is to be used in conjunction with the Boundary Map of the San Bernardino County Redevelopment Agency Cedar Glen Disaster Recovery Redevelopment Project. The course numbers on the description correspond with the course numbers shown on the Boundary Map.

All of that certain real property in the County of San Bernardino, State of California described as follows:

POB

Beginning at the point intersection of the centerline of State Highway 173 with the Northwesterly prolongation of the Northeasterly line of Lot 37 Of Tract No. 10944 as shown on Map Recorded in book 189 pages 30 through 32 of Maps , Records of said County, said point also being 650 northerly of the centerline intersection with Emerald Drive; thence

1. Southerly, easterly, westerly and southwesterly through its various courses a distance of 6,500 feet more or less along said centerline to its intersection with the centerline of Fremont Road; thence
2. Southeasterly and southerly a distance of 480 feet more or less along said centerline to its intersection with the centerline of Shenandoah Drive; thence
3. Southerly a distance of 400 feet more or less along said centerline to its intersection with the northwesterly prolongation of the northeasterly line of Lot 1 of Tract No. 7514 as shown on map recorded in Map Book 101, Pages 41 though 46, Records of said County; thence
4. South 45° East a distance of 76.05 feet more or less along said prolongation to its intersection with the southeasterly line of said Lot 1; thence
5. South 30° West a distance of 95 feet more or less along said southeasterly line to its intersection with the easterly line of Lot 2 of said Tract No. 7514; thence
6. South 8° West a distance of 140.72 feet more or less along said easterly line and the easterly line of Lot 3 of said Tract No. 7514 to its intersection with the northeasterly line of Lot 4 of said Tract No. 7933; thence
7. South 43° East a distance of 156.78 feet more or less along said northeasterly line and the northeasterly line of Lot 5 of said Tract No. 7514 to its intersection with the easterly line of said Lot 5; thence
8. South 5° West a distance of 328.61 feet more or less along said easterly line and the easterly line of Lots 6, 7 and 8 of said Tract No. 7514 to its intersection with the southeasterly line of said Lot 8; thence

9. South 55° West a distance of 52 feet more or less along said southeasterly line of Lot 8 and the southeasterly line of Lot 9 of said Tract No. 7514 to its intersection with the southerly line of Lot 188 of said Tract No. 7933 as shown on map recorded in Book 101 Pages 57 to 63, Records of Said County; thence
10. South 80° West a distance of 302.37 feet more or less along the southerly line of Lots 9, 10, and 11 of said Tract No. 7514 to its intersection with the southeasterly line of Lot 3 of said Tract No. 7514; thence
11. South 50° West a distance of 87.70 feet more or less along said southeasterly line to its intersection with the southwesterly line of said Lot 13; thence
12. North 50° West a distance of 240 feet more or less along said southwesterly line to its intersection with the southerly line of Lot 55 of said Tract No. 7514; thence
13. South 73° West a distance of 60 feet more or less along said southerly line to its intersection with the northeasterly line of Lot 56 of said Tract No. 7514; thence
14. South 20° East a distance of 60.29 feet more or less along said northeasterly line to its intersection with the southeasterly line of said Lot 56; thence
15. South 50° West a distance of 210 feet more or less along said southeasterly line to its intersection with the southwesterly Right-of-way line of Wabash Drive; thence
16. North 33° West a distance of 55 feet more or less along said southwesterly Right-of-way line to its intersection with the southeasterly line of Lot 57 of said Tract No. 7514; thence
17. South 50° West a distance of 221.42 feet more or less along said southeasterly line to its intersection with the north line of Lot 22 of Tract No. 1903, Tract "A" Lakewood as shown on map recorded in Map Book 22, Pages 30 to 31, Records of said County also being the centerline of Stonehill Drive, a private street; thence
18. Easterly and southeasterly a distance of 450 feet more or less along said centerline following the northeast line of Lots 24, 23, 80, 81 and 82 of said Tract No. 1903 line to its intersection with the easterly line of Lot 82 of said Tract No. 1903, Tract "A" Lakewood, as shown on Map recorded in Book 22, Pages 32 and 33, Records of said County; thence
19. North 65° East a distance of 102 feet more or less; thence
20. South 58° East a distance of 108.30 feet more or less; thence
21. South 15° West a distance of 116.20 feet more or less; thence
22. South 65° West a distance of 138.08 feet more or less; thence
23. North 18° West a distance of 143.4 feet more or less along its intersection with the south line of said Lot 82; thence
24. West a distance of 174.63 feet more or less along said south line and the south line of Lots 83 and 84 to its intersection with the southeasterly line of Lot 141 of Tract No. 1996, Tract "B" Lakewood, as shown on map recorded in Book 22, Pages 32 and 33 in Records of said County; thence
25. South 38° West a distance of 111.12 feet more or less along said southeasterly line to its intersection with the northerly line of Lot 155 of said Tract No. 1996 also being the centerline of Garnet Drive, a private street; thence
26. Southeasterly a distance of 1,150 feet more or less along said centerline also being the northeasterly line of Lots 155 through 163, 203 through 208, 249 and 250 to it intersection

- with the most easterly point of Lot 250 Tract No. 1996 also being the centerline of Granite Drive, a private street; thence
27. Northwesterly a distance of 600 feet more or less along said centerline also being the southerly and southwesterly line of Lots 250 through 260 of said Tract No. 1996 to its intersection with the westerly line of said Lot 260; thence
 28. South 40° West a distance of 137.9 feet more or less; thence
 29. North 50° West a distance of 150 feet more or less; thence
 30. North 40° East a distance of 138.15 feet more or less to its intersection with the centerline of Granite Drive, a private street, also being the southwesterly line of Lot 2; thence
 31. Northwesterly, southwesterly and southeasterly a distance of 1000 feet more or less along said centerline also being southwesterly line of Lots 264 through 266, the southerly line of Lot 230, easterly line of Lots 229, 228, 185, 183, 117, 115 and the northeasterly line of Lot 114 to its intersection with the east line of said Lot 114; thence
 32. South a distance of 55 feet more or less along said east line and the east line of Lot F to its intersection with the south line of the northwest one-quarter of southeast one-quarter of Section 22 Township 2 North, Range 3 West; thence
 33. East a distance of 2,850 feet more or less along said south line and its easterly prolongation to its intersection with the southwesterly Right-of-way line of Cumberland Drive; thence
 34. Southerly, Southeasterly and Easterly a distance of 250 feet more or less along said southwesterly line and the southerly line of said Cumberland Drive to its intersection with the southeasterly Right-of-Way line of Bald Eagle Ridge, a private road; thence
 35. Northeasterly a distance of 100 feet more or less along said southeasterly Right-of-Way line to its intersection with the north line of the south half of the southeast one quarter of said Section 23; thence
 36. East a distance of 1,740 feet more or less along said north line to its intersection with the west line to the east one half of said Section 23; thence
 37. North a distance of 3,820 feet more or less along said west line to its intersection with the southerly Right-of-way line of Hook Creek County Road; thence
 38. East, Southeasterly and Northeasterly a distance of 1,550 feet more or less along said Southerly Right-of-way line to its intersection with the south line of Section 24, Township 2 North, Range 3 West of San Bernardino Base Meridian; thence
 39. East a distance of 1,190 feet more or less along said south line to its intersection with the east line of said Section 14; thence
 40. North a distance of 2,040 feet more or less along said east line to its intersection with the north line Government Lot 15 of Section of 13, Township 2 North. Range 3 West, SBB&M; thence
 41. East a distance of 660 feet more or less along said north line to its intersection with the west line of Government Lot 15 of said Section 13; thence
 42. North a distance of 660 feet more or less along said west line to its intersection with the north line of said Government Lot 13; thence
 43. East a distance of 1900 feet more or less along said north line and its easterly prolongation to its intersection with the centerline line of Section 13; thence

44. North a distance of 2640 feet more or less along said centerline to its intersection with the north line of said Section 13; thence
45. West a distance of 3,850 feet more or less along said north line and its westerly prolongation to its intersection with the west line of the east one half of the east one half of said Section 24; thence
46. South a distance of 4050 feet more or less along said west line to its intersection with the north line of the south one half of the south one half of said Section 14; thence
47. West a distance of 1,930 feet more or less along said north line its intersection with the east line of Tract No 10944 filed in Book 189 Pages 30 through 32 of maps in the office of the Records of said county; thence Following the east line of said Tract No. 10944
48. North 6° West a distance of 550 feet more or less; thence
49. North 24° West a distance of 475 feet more or less; thence
50. North a distance of 287 feet more or less; thence
51. North 43° West a distance of 161 feet more or less; thence
52. North 15° West a distance of 75 feet more or less; thence
53. North 50° West a distance of 150 feet more or less to the Point of Beginning.